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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
BILLY JOE WEST,
Defendant.

Case No.: 2:20-mj-00217-DJA

**STIPULATION TO CONTINUE
DETENTION HEARING**

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, Jessica Oliva, Esq., Assistant United States Attorney, and David R. Fischer, Esq., counsel for defendant BILLY JOE WEST, that the Hearing for Detention in the above-captioned matter set for Wednesday, March 25, 2020 at 02:30 P.M., be vacated and continued to Thursday, March 26, 2020 at 02:30 P.M.

This Stipulation for the continuance is entered into for the following reasons:

1. This is a joint request by counsel for the Defendant, BILLY JOE WEST, and the Assistant United States Attorney, Jessica Oliva;

- 1 2. Counsel request this additional time in order to allow the third party custodian, Mrs.
2 Cheryle West, to be present at the detention hearing; Mrs. West is unable to attend
3 the detention hearing on Wednesday, March 25, 2020, due to medical reasons.
4 3. Counsel communicated with the Defendant, BILLY JOE WEST, who is in custody
5 at the Nevada Southern Detention Center, and WEST agrees with the continuance;
6 4. This is the first request for a continuance filed herein.

7 WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a
continuance of the Detention Hearing to Thursday, March 26, 2020 at 02:30 P.M.

9 DATED this 24th day of March 2020

11 _____
12 */s/ Jessica Oliva*
13 JESSICA OLIVA, ESQ.
14 Assistant United States Attorney
15 Counsel for the United States

16 _____
17 */s/ David R. Fischer*
18 DAVID R. FISCHER, ESQ.
19 Counsel for Defendant WEST

1 **CERTIFICATE OF ELECTRONIC SERVICE**

2 I HEREBY CERTIFY that I am an employee or agent of the LAW OFFICE OF DAVID
3 R. FISCHER and am a person of such age and discretion as to be competent to serve papers and
4 that, on the 24th day of March, 2020, I served a copy of the above and foregoing
5 **STIPULATION TO CONTINUE DETENTION HEARING** in the following manner(s):

- 6 ELECTRONIC SERVICE: Pursuant to Local Rule IC 4-1 of the United States District Court for the District
7 of Nevada, the above-referenced document was electronically filed and served on all appearing parties
8 through the Notice of Electronic Filing automatically generated by the Court.
- 9 UNITED STATES MAIL: By depositing a true and correct copy of the above referenced document into the
10 United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing
11 address(es):
- 12 OVERNIGHT COURIER: By depositing a true and correct copy of the above referenced document for
13 overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-
14 known mailing address.
- 15 FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the
16 attached service list at the facsimile numbers set forth thereon.
- 17 EMAIL: By sending the above-referenced document via email to those persons at the email addresses set
18 forth below:

19 _____
20 /s/ *David R Fischer*
21 DAVID R. FISCHER, ESQ.
22 Attorney for Defendant WEST
23
24

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

2

3 UNITED STATES OF AMERICA,
4 Plaintiff,
5
6 vs.
7 BILLY JOE WEST,
8 Defendant.

9 Case No.: 2:20-mj-00217-DJA

10

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

11

FINDINGS OF FACT

12 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
Court finds that:

13 This Stipulation for the continuance is entered into for the following reasons:

- 14
- 15 1. This is a joint request by counsel for the Defendant, BILLY JOE WEST, and the
Assistant United States Attorney, Jessica Oliva;
 - 16 2. Counsel request this additional time in order to allow the third party custodian, Mrs.
Cheryle West, to be present at the detention hearing; Mrs. West is unable to attend
the detention hearing on Wednesday, March 25, 2020, due to medical reasons.
 - 17 3. Counsel communicated with the Defendant, BILLY JOE WEST, who is in custody
at the Nevada Southern Detention Center, and WEST agrees with the continuance;
 - 18 4. This is the first request for a continuance filed herein.

19 WHEREFORE, for the foregoing reasons, the ends of justice would best be served by a
20 continuance of the Detention Hearing to Thursday, March 26, 2020 at 02:30 P.M..
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2 **CONCLUSIONS OF LAW**

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4 The ends of justice served by granting said continuance outweigh the best interest of the
5 public, since the failure to grant said continuance would be likely to result in a miscarriage of
6 justice, would deny the parties herein sufficient time and the opportunity within which to be
7 able to effectively and thoroughly prepare for sentencing, taking into account the exercise of
due diligence.

8 **ORDER**

9

10 IT IS HEREBY ORDERED that the Detention Hearing currently scheduled for
11 Wednesday, March 25, 2020 at 02:30 P.M., be continued to the 26th day of March,
2020 at 2:30 p.m. , in courtroom 4B.

14 **IT IS SO ORDERED**

15 **DATED: March 25, 2020**

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19 **BRENDA WEKSLER**
20 **UNITED STATES MAGISTRATE JUDGE**